



S/N 10/018,105

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Roemer, Terry	)	Examiner:	Burkhart, Michael
		)		
Serial No.:	10/018,105	)	Group Art Unit:	1633
		)		
Filed:	July 15, 2002	)	Attorney Docket:	MK-06
		)		
Title:	Identification of Candida Albicans	)		
	Essential Fungal Specific Genes and	)		
	Use Thereof in Antifungal Drug	)		
	Discovery	)		

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**SUBMISSION IN SUPPORT OF  
REQUEST FOR CONTINUED EXAMINATION UNDER 37 CFR 1.114**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the continued examination of the above-identified application in accordance with the Request for Continued Examination submitted herewith, please enter the enclosed Information Disclosure Statement and the attached Form 1449.

In accordance with 37 C.F.R. §1.97 *et. seq.*, Applicant provides the enclosed materials for the Examiner's consideration in connection with the above-identified patent application. Applicant respectfully requests that this Information Disclosure Statement and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Copies of foreign and non-patent references are enclosed herein. Pursuant to the provisions of MPEP 609,

Applicant requests that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicant with the next official communication.

The information contained in this Information Disclosure Statement is not to be construed as 1) a representation that a search has been conducted; 2) additional information material to the examination of this application does not exist; 3) the information, protocol, results and the like reported by third parties are accurate or enabling; the information is considered to be material to patentability; or 4) that the information constitutes prior art to the current application.

Should the Examiner have any questions or concerns, he is invited to contact the undersigned. It is believed no fee, other than the filing fee, is required. If a fee is required, please charge the same to Deposit Account 50-3464.

Respectfully submitted,

Date: May 1, 2006

By Diane P. Tso  
Diane P. Tso  
Reg. No. 46,012  
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# RCE  
ZFW

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P A T E N T & T R A D E M A R K S

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/018,105
Filing Date	July 15, 2002
First Named Inventor	Roemer, Terry
Art Unit	1633
Examiner Name	Burkhart, Michael
Total Number of Pages in This Submission	8
Attorney Docket Number	MK-06

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	--Form 1449 (2 pages)
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	--Request for Continued Examination (1 page)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> Landscape Table on CD
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Enclosures Cont'd.	
	--Submission in Support of Request for Continued Examination under 37 CFR 1.114 (2 pages)	
	--22 References	
	--Return-receipt postcard	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Hoxie & Tso LLP		
Signature	<i>Diane P. Tso</i>		
Printed name	Diane P. Tso		
Date	May 1, 2006	Reg. No.	46,012

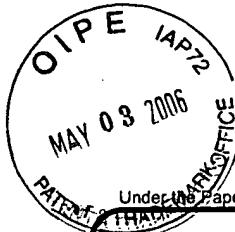
**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Michele Konrad</i>		
Typed or printed name	Michele Konrad	Date	May 1, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL  
For FY 2006** Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$). 790.00

**Complete if Known**

Application Number	10/018,105
Filing Date	July 15, 2002
First Named Inventor	Roemer, Terry
Examiner Name	Burkhart, Michael
Art Unit	1633
Attorney Docket No.	MK-06

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 50-3464 Deposit Account Name: Hoxie & Tso LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity	Fee (\$)
- 20 or HP =	x	=		50	25

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=		200	100	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 37 CFR 1.17(e) - Request for Continued Examination

\$790.00

**SUBMITTED BY**

Signature	Diane P. Tso	Registration No. (Attorney/Agent) 46,012	Telephone (973) 467-1806
Name (Print/Type)	Diane P. Tso		Date May 1, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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